

REMARKS

In the Office Action mailed September 8, 2008, the Examiner noted that claims 1, 2, 5-12, 14-17 and 19-22 were pending, and rejected all claims. Claims 1, 9, 14, and 19 have been amended, claims 5 and 8 have been canceled, and, thus, in view of the forgoing claims 1, 2, 6, 7, 9-12, 14-17 and 19-22 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

The Office Action rejected claims 7 and 8 under 35 U.S.C. section 112 paragraph 2 as indefinite. The claims have been amended in consideration of the Examiner's comments and it is submitted they satisfy the requirements of the statute. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

Page 3 of the Office Action rejects claims 1, 2, 5-12, 14-17 and 19-22 under 35 U.S.C. § 103 over Walker.

Walker is about providing group rewards where it is assumed at the time that shopping takes place that the customers are in a group as they are allowed preregister or "register as a group" (see Walker col. 2, lines 45-54).

In contrast, the invention of claim 1 is designed to determine if a customer is in a same group as another customer. To do this, a time difference between detection by a first detector of a customer based on customer identification information and the detection by the first detector of another customer is determined. This time difference is compared to a predetermined period and if it falls within that period, the second customer is another member of the group. However, the comparison occurs when a second detector detects customer information. That is, the second detector detects the customer information and then the determination is made on other customers ("when the second detector detects customer identification information ... if the difference between a detection time at which the customer identification information is detected by the first detector and a detection time at which the customer identification information for said another customer is detected by the first detector falls within a predetermined period of time" - claim 1).

Claim 9 also emphasizes the second and first detector detection operations involved in deciding whether a customer is a member of a group ("said second detector detects the customer identification information on said customer; and then said first detector obtains customer identification information on other customers that are present in said shop; and if customer identification information on another member of the group to which said customer belongs corresponds to one of the pieces of customer identification information on the other

customers that are present in said shop, said customer is recognized to have come with another member of the group"). As noted above, Walker operates with the assumption that the customers are part of a group (preregistered as such) to allow a group reward program to operate.

It is submitted that the independent claims distinguish over the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112. It is also submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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